

AMENDED IN SENATE APRIL 13, 2009

AMENDED IN SENATE APRIL 1, 2009

SENATE BILL

No. 582

Introduced by Senators Dutton and Runner

February 27, 2009

An act to ~~amend Section 3020 of~~ *add Section 3020.5 to* the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 582, as amended, Dutton. Elections: vote by mail voting: military personnel.

Existing law requires vote by mail ballots to be received by elections officials by the close of the polls on election day.

This bill would ~~require that a vote by mail ballot of a member of the Armed Forces of the United States who is stationed outside of the United States be cast by~~ *make an exception for absent uniformed services voters, as defined, and would instead require that their vote by mail ballot be postmarked or signed and dated by the voter by election day and received by their elections officials official no later than 25 21 days after election day.*

Because the bill would require local elections officials to perform additional duties, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 3020 of the Elections Code is amended~~
2 ~~to read:~~
3 ~~3020. (a) Except as provided in subdivision (b), a vote by mail~~
4 ~~ballot cast pursuant to this division shall be received by the~~
5 ~~elections official from whom the ballot was obtained or by the~~
6 ~~precinct board no later than the close of the polls on election day.~~
7 ~~(b) A vote by mail ballot of a member of the Armed Forces of~~
8 ~~the United States or an auxiliary branch thereof who is stationed~~
9 ~~outside of the United States shall be cast by election day and shall~~
10 ~~be received by the voter's elections official no later than 25 days~~
11 ~~after election day.~~
12 ~~SECTION 1. Section 3020.5 is added to the Elections Code,~~
13 ~~to read:~~
14 ~~3020.5. Notwithstanding Section 3020, 3311, or 4103, or any~~
15 ~~other provision of law, a vote by mail ballot of a member of the~~
16 ~~United States Armed Forces who is an "absent uniformed services~~
17 ~~voter" as defined in subsection (1) of Section 1973ff-6 of Title 42~~
18 ~~of the United States Code shall be timely cast if postmarked or~~
19 ~~signed and dated by election day and received by the voter's~~
20 ~~elections official no later than 21 days after election day.~~
21 ~~SEC. 2. If the Commission on State Mandates determines that~~
22 ~~this act contains costs mandated by the state, reimbursement to~~
23 ~~local agencies and school districts for those costs shall be made~~
24 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
25 ~~4 of Title 2 of the Government Code.~~